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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 September 2008</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20 and 22</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20 and 22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
    application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Response to Arguments

Applicant's arguments filed on 9/29/08 have been fully considered but they are not persuasive.

Argument #1

Applicant argues that Whitman fails to "transforming ... in a first display form" and "select a display item ... as a second search condition ... receiving designation of a second display form ... and transforming ... said selected display item ... in said second display form."

Examiner is not persuaded.

Whitman in Fig. 8 clearly discloses that the data has been transformed to a displayable form which indicates the "Related Searches", "Top Matches for this search" and/or "Full Results". User can click as select the item on the results. Col. 1, lines 53-62, Whitman clearly discloses the query can be refined which is a second search condition. "Designation" refers to "the act of indicating or identifying" as described in Merriam-Webster Online dictionary. Whitman's invention receives an act of identifying the search results in a second displayable form which is displayed on the screen. And the user clicks or selects the results on this so-called second display form.

Argument #2

Applicant argues that "clicking on the hyperlink" is not the same as "select display item...as second search condition".

Examiner is not persuaded.

In fig. 8 and Col. 8, lines 1-6, Whitman clearly discloses that the user can select the related search phrase to submit the new, modified query.   Clicking on the hyperlink is indeed the same as selecting display item.

Argument #3

Applicant argues that Whitman fails to disclose "designation of a second display form...different from said display form" in relation to "second search condition" because Whitman would display the second search condition in a first display form, namely the alleged hyperlink.

Examiner is not persuaded.

First display form and second display form have not been further defined or specified how different they are.   In Whitman, querying inputs for ISBN, Publisher/Date, Quick Search, Author/Subject Search, showing the search results or documents in different location such as upper portion of the web page, lower portion of the web page, displaying the results in different time interval, and showing on other web pages are considered as a plurality of display forms.

Argument #4

Applicant argues that the "related search phrases" in Whitman which were extracted from history of search queries submitted to a search engine by a community of users, 810 of fig. 8 does not indicate the cluster within said extracted plurality of documents.

Examiner is not persuaded.

First, Examiner does not only indicate element 810. "Related Searches", "Top

Matches for this search", and "Full Results" are located into three divided clusters for

instance, upper part, middle part, and lower part of the web page shown in fig. 8.

 "Cluster" refers to a group of things of the same kind held together, or a group of thing

close together, as described in The Random House College dictionary. Cluster simply

is defined as a group of similar.

Argument #5

Applicant argues that Whitman's "Full Results" is not any cluster within "said

plurality of documents" because "Full Result 820" and "plurality of documents" both refer

to all of the retrieved documents as alleged by applicant.

Examiner is not persuaded.

Applicant admits that "Full Results 820" and "plurality of documents" refer to all of

the retrieved documents. Therefore, "Full Results 820" is in a cluster of the "plurality of

documents".

Further, as explained, "Related Searches", "Top Matches for this search", and

"Full Results" are indeed located into three divided clusters for instance, upper part,

middle part, and lower part of the web page shown in fig. 8.

Argument #6

Applicant argues that Whitman fails to disclose "display...a segment that

connects between said used words and represents the calculated degree of relevancy

between said used words" in Claims 2 and 6.

Examiner is not persuaded.

First, Claim 2 does not require this limitation. Claim 2 merely indicates "at least one of" the five limitations as shown in Claim 2.

Second, as admitted by applicant, hyperlink connects two objects logically in Whitman. And similarly, "segment" is a line that connects two points. Whitman does disclose generating a hyperlink as segment connects the data objects as used words.

Argument #7

Applicant argues that Whitman fails to disclose "the segment represents the calculated degree of relevancy between the used words."

Examiner is not persuaded.

In Fig. 8, under "Top Matches for this search" does show a list of results which are in the higher degree of relevancy.   Those top matches are displayed by hyper link. Thus the link represents the degree of words relevancy.

Claim Rejection – 35 U.S.C. 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 20 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In Claim 20, line 10, "the following search condition" is vague because there is no other claim that further specifies the following search condition.

In Claim 22, line 6, "and/or" is vague to the claimed invention whether which one of limitations is required or both are required.

Claim Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

Claims 1-12, 14, 16-20 and 22 are rejected under 35 U.S.C. 102(e) as being

anticipated by Whitman et al. (6,772,150).

Regarding Claim 1, Whitman discloses a computer-implemented search

processing method, comprising:

-        searching a predetermined document group according to a first search

         condition specified by a user to extract data of a plurality of documents

         from a storage (133) that stores said predetermined document group

         (Fig. 8 and Col. 1, lines 15-44, Col. 6, lines 1-15, Col. 6, lines 58-68; Col.

         7, lines 1-12 and Col. 14, lines 13-22);

-        transforming said data of said plurality of documents into information to

         indicate said data of said plurality of documents to said user in a first

         display form and to enable said user to select a display item to be utilized

         as a second search condition (refining the query, Col. 1, lines 53-62 and

         Col. 3, lines 39-55) in a following processing, wherein said display item is

         generated from said data of said plurality of documents extracted from

said storage[1] and outputting the transformed information (Fig. 8 and Col. 7, line 59 to Col. 8, line 5 and Col. 14, lines 13-22);

- receiving designation of a second display form from the user (see response #3);

- extracting data of documents corresponding to said display item selected by said user from the storage (133) or the data of the plurality of documents (Abstract and Col. 2, lines 25-40 and Col. 3, lines 39-57, Col. 4, lines 1-7 and Col. 5, lines 44-64, Col. 6, lines 1-15); and

- transforming said data of said documents corresponding to said selected display item into information to indicate said data of said documents to said user in a second display form (refining the query, Col. 1, lines 53-62 and Col. 3, lines 39-55), which is designated by said user and different from the first display from (See response #3), specified by said user and to enable said user to select a display item to be utilized as a third search condition in a following processing ("refining" can be more than two), wherein said display item is generated from said data of said documents corresponding to the selected display item and outputting the transformed information (Fig. 8, and Col. 7, line 59 to Col. 8, line 5 and Col. 14, lines 13-22).

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[1] The data in the database must be read out at least to the RAM in order to be searched.   All the data in all databases are presented in binary code. When a user searches for the information within the database, the binary code must be read out from the database and converted into readable characters by processor and appropriate software. Such act of "reading out" has equivalent meaning of "extracting" or "pulling out".

Regarding Claim 2, Whitman discloses that a first form showing indications of extracted documents (recent set of query) that have been classified by used words (search phrases previously-submitted) in said extracted documents (Col. 2, lines 13-40)

Regarding Claim 3, Whitman discloses that the first transforming comprises:

-       dividing said plurality of documents into clusters (Related Searches, Top Matches, Full Results) by using said data of said plurality of documents (fig. 8);

-       extracting second data to be displayed from said data of said plurality of documents, wherein a type of the extracted second data is predefined for said first display form (Abstract and Col. 2, lines 25-40 and Col. 3, lines 39-57, and Col. 4, lines 1-7 and Col. 5, lines 44-64); and

-       generating, for each said cluster, information to display the extracted second data to be utilized as said second search condition in said following processing (Fig. 8 and Col. 7, line 59 to Col. 8, line 5 and Col. 14, lines 13-22).

Regarding Claim 4, Whitman discloses that the first transforming comprises:

-       calculating (selection process) a degree of relevancy (relevant item) between said plurality of documents by using said data of said plurality of documents (Col. 1, lines 15-24; Col. 7, lines 26-44);

-       extracting, for each of said plurality of documents a data item to be displayed from said data of said plurality of documents, wherein a type of said data item is predefined for said first display form (Abstract and Col.

2, lines 25-40 and Col. 3, lines 39-57 lines 1-7 and Col. 5, lines 44-64);
and

-        generating information to display the extracted data items to be utilized
         as said second search condition in said following processing in said
         following processing, and a segment that connects between said data
         items (search key term and document must be linked in order to display
         the item) and represents the calculated degree of relevancy between
         said documents corresponding to said data items (Fig. 8, and Col. 7, line
         59 to Col. 8, line 5 and Col. 14, lines 13-22).

Regarding Claim 5, Whitman discloses dividing said plurality of documents into
classes (Related Searches, Top Matches, Full Results) based on used words included
in said data of said plurality of documents (fig. 8), and counting a number of documents
in each said class based on a specific matter predefined for said first display form (figs.
1, 8); and generating information to display the counting result (figs. 1, 8).

Regarding Claim 6, Whitman discloses that the first transforming comprises:

-        calculating (selection process) a degree of relevancy (relevant item)
         between used words included in said data of said plurality of documents
         (Col. 1, lines 15-24; Col. 7, lines 26-44); and

-        generating information to display said used words to be utilized as said
         second search condition in said following processing, and a segment that
         connects between said used words (search key term and document must
         be linked in order to display the item) and represents the calculated

degree of relevancy between said used words (Fig. 8 and Col. 7, line 59

to Col. 8, line 5 and Col. 14, lines 13-22).

Regarding Claim 7, Whitman discloses first transforming comprises:

-       relating said plurality of documents into document groups (Related

Searches, Top Matches, Full Results) based on a specific matter

predefined for said first display form (fig. 8);

-       calculating (selection process) a degree of relevancy between said

document group and a used word included in said data of said plurality of

documents (Col. 1, lines 15-24; Col. 7, lines 26-44); and

-       generating information to display said document groups by said data of

said specific matter, and the calculated degree of relevancy (relevant

item) between said document group and said used word by a segment

connecting between said document group and said used word (search

key term and document must be linked in order to display the item),

wherein said document group and said used word are to be utilized as

said second search condition in said following processing (figs. 1, 2, 8).

Regarding Claim 8, Whitman discloses that the second transforming comprises:

-       dividing said documents corresponding to said selected display item into

clusters (Related Searches, Top Matches, Full Results) by using said

data of said documents corresponding to said selected display item (fig.

8);

-　　　　extracting third data to be displayed from said data of said documents

corresponding to said selected display item, wherein a type of the

extracted third data is predefined for said second display form (Abstract

and Col. 2, lines 25-40 and Col. 3, lines 39-57 lines 1-7 and Col. 5, lines

44-64); and

-　　　　generating, for each said cluster (Related Searches, Top Matches, Full

Results, information to display the extracted third data to be utilized as

said third search condition (refining search can be more than two) in said

following processing (figs. 1, 2, 8).

Regarding Claim 9, Whitman discloses second transforming comprises:

-　　　　calculating (selection process) a degree of relevancy between said

documents corresponding to said selected display item by using said

data of said documents corresponding to said selected display item (Col.

1, lines 15-24; Col. 7, lines 26-44);

-　　　　extracting, for each said documents corresponding to said selected

display item, a data item (810, 820) to be displayed (fig. 8) from said data

of said documents corresponding to said selected display item wherein a

type of the second data item is predefined for the second display form

(refining the query, Col. 1, lines 53-62 and Col. 3, lines 39-55) (Abstract

and Col. 2, lines 25-40 and Col. 3, lines 39-57 and Col. 4, lines 1-7 and

Col. 5, lines 44-64); and

-        generating information to display the extracted second data (refined)

         items to be utilized as said third search condition in said following

         processing (refining search), and a segment that connects between said

         second data items (search key term and document must be linked in

         order to display the item) and represents the calculated degree of

         relevancy between said documents corresponding to said selected

         second data (figs. 1, 2, 8 and Col. 6, lines 1-28).

Regarding Claim 10, Whitman discloses that second transforming comprises:

-        dividing said documents corresponding to said selected display item into

         classes (Related Searches, Top Matches, Full Results) based on used

         words included in said data of said documents corresponding to said

         selected display item (fig. 8), and

-        counting a number of documents in each said class based on a specific

         matter predefined for said second display form (figs. 1, 2, 8); and

         generating information to display the counting result (figs. 1, 2, 8).

Regarding Claim 11, Whitman discloses that said second transforming

comprises:

-        calculating a degree of relevancy between used words included in said

         data of said documents corresponding to said selected display item (Col.

         1, lines 15-24; Col. 7, lines 26-44); and

-        generating information to display said used words to be utilized as said

         third search condition (refining search can be more than two) of said

following processing (Fig. 8 and Col. 7, line 59 to Col. 8, line 5 and Col.

14, lines 13-22), and a segment (search key term and document must be

linked in order to display the item) that connects between said used

words and represents the calculated degree of relevancy between said

used words (figs. 1, 2, 8).

Regarding Claim 12, Whitman discloses that said second transforming

comprises:

- categorizing said documents corresponding to said selected display item

  into document groups (Related Searches, Top Matches, Full Results)

  based on a specific matter predefined for said second display form (fig.

  8);

- calculating (selection process) a degree of relevancy between said

  document group and a used word included in said data of said

  documents corresponding to said selected display item (Col. 1, lines 15-

  24; Col. 6, lines 16-29 and Col. 7, lines 26-44); and

- generating information to display said document groups by said data of

  said specific matter (810 in Fig. 8 and Col. 7, line 59 to Col. 8, line 5 and

  Col. 14, lines 13-22), and the calculated degree of relevancy (relevant

  item) between said document group and said used word by a segment

  (search key term and document must be linked in order to display the

  item) connecting between said document group and said used word, said

  document group and said word are to be utilized as said third search

(refining search can be more than one) condition in said following

processing (figs. 1, 2, 8).

Regarding Claim 14, Whitman discloses at least either of said first and second

transforming comprises specifying a display program corresponding to a display form,

and generating information for said display program (figs. 1, 2, 8).

Regarding Claim 16, Whitman discloses a computer readable medium storing

instructions being executable by a processor to perform a method comprising:

-        searching a predetermined document group according to a first search

         condition specified by a user to extract data of a plurality of documents

         from a storage that stores said predetermined document group (Fig. 8

         and Col. 1, lines 15-44, Col. 6, lines 1-15, Col. 6, lines 58-68; Col. 7,

         lines 1-12 and Col. 14, lines 13-22);

-        transforming said data of said plurality of documents into information to

         indicate said data of said plurality of documents to said user in a first

         display form and to enable said user to select a display item to be utilized

         as second search condition in a following processing (refining the query,

         Col. 1, lines 53-62 and Col. 3, lines 39-55), wherein said display item is

         generated from said data of the plurality of documents extracted from

         said storage[2] and outputting the transformed information (810, 820) (Fig.

         8 and Col. 7, line 59 to Col. 8, line 5 and Col. 14, lines 13-22);

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[2] The data in the database must be read out at least to the RAM in order to be searched.   All the
data in all databases are presented in binary code. When a user searches for the information within the
database, the binary code must be read out from the database and converted into readable characters by

-        receiving designation of a second display form from said user (response #3);

-        extracting data of documents corresponding to said display item selected by said user from the storage (133) or the data of the plurality of documents (Abstract and Col. 2, lines 25-40 and Col. 3, lines 39-57 and Col. 4, lines 1-7 and Col. 5, lines 44-64, Col. 6, lines 1-15); and

-        transforming said data of said documents corresponding to said selected display item into information to indicate said data of said documents to said user in a second display form, which is designated by said user and different from the first display from (See response #3), specified by said user (refining the query, Col. 1, lines 53-62 and Col. 3, lines 39-55) and to enable said user to select a display item to be utilized as a third search condition in a following processing ("refining" can be more than two), wherein said display item is generated from said data of said documents corresponding to said selected display item and outputting the transformed information (Fig. 8, and Col. 7, line 59 to Col. 8, line 5 and Col. 14, lines 13-22).

Regarding Claim 17, Whitman discloses that a first form showing indications of extracted documents (recent set of query) that have been classified by used words (search phrases previously-submitted) in said extracted documents (Col. 2, lines 13-40).

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processor and appropriate software.   Such act of "reading out" has equivalent meaning of "extracting" or "pulling out".

Regarding Claim 18, Whitman discloses a search processing apparatus,

comprising:

- a storage that stores a predetermined document group (from storage 133);

- a search unit that searches a predetermined document group according

  to a first search condition specified by a user to extract data of a plurality

  of documents from said storage (133) that stores the predetermined

  document group (Fig. 8 and Col. 1, lines 15-44, Col. 6, lines 1-15, Col. 6,

  lines 58-68; Col. 7, lines 1-12 and Col. 14, lines 13-22);

- a first transformer that transforms said data of said plurality of documents

  into information to indicate said data of said plurality of documents to

  said user in a first display form and to enable said user to select a display

  item to be utilized as a second search condition a following processing

  (refining the query, Col. 1, lines 53-62 and Col. 3, lines 39-55) wherein

  said display item is generated from said data of the plurality of

  documents extracted from said storage (133), and outputs the

  transformed information (Fig. 8 and Col. 7, line 59 to Col. 8, line 5 and

  Col. 14, lines 13-22);

- a receiver that receives designation of a second display form from said

  user (response #3);

- an extractor that extracts data (data extracted and displayed) of

  documents corresponding to said display item selected by said user from

  the storage (133) or the data of the plurality of documents (Fig. 8, Col. 6,

lines 1-15, and Col. 7, line 59 to Col. 8, line 5 and Col. 14, lines 13-22);

and

\- a second transformer (refining the query, Col. 1, lines 53-62 and Col. 3,

lines 39-55) that transforms said data of said documents corresponding

to said selected display item into information to indicate said data of said

documents to said user in a second display form, which is designated by

said user and different from the first display from (See response #3),

specified by said user and to enable said user to select a display item to

be utilized as a third search condition ("refining" can be more than two) in

a following processing, wherein said display item is generated from said

data of said documents corresponding to said selected display item, and

outputs the transformed information (Fig. 8 and Col. 7, line 59 to Col. 8,

line 5 and Col. 14, lines 13-22).

Regarding Claim 19, Whitman discloses that a first form showing indications of

extracted documents (recent set of query) that have been classified by used words

(search phrases previously-submitted) in said extracted documents (Col. 2, lines 13-40).

Regarding Claim 20, Whitman discloses a method comprising:

extracting data selected by a user from displayed plurality of documents retrieved

from a predetermined document group (from storage 133) by searching the

predetermined document group based on a search condition (Fig. 8, and Col. 1, lines

15-62; Col. 3, lines 39-55; Col. 6, lines 1-68; Col. 7, lines 1-12 and Col. 14, lines 13-22);

transforming the extracted data into information to the user in a user designated display form (when the user click the document, the document is displayed in a form caused by user such as showing as different type or refinement search, on different web page, at different time, or different portion of the web) (Also see Fig. 8, and Col. 1, lines 15-62; Col. 3, lines 39-55; Col. 6, lines 1-29, and Col. 7, line 59 to Col. 8, line 15, Col. 14, lines 13-22);

enabling the user to select the transformed information in the user designated display form as a search condition as a following search (refining the query, Col. 1, lines 53-62 and Col. 3, lines 39-55, and Fig. 8, and Col. 6, lines 1-29, Col. 7, line 59 to Col. 8, line 15, Col. 14, lines 13-22); and

outputting a search result of the following search condition (Col. 1, lines 53-62 and Col. 3, lines 39-55, Fig. 8, Col. 7, line 59 to Col. 8, line 15 and Col. 14, lines 13-22).

Regarding Claim 22, Whitman discloses a method comprising:

first searching a database using a first search condition entered by a user and displaying a first search result of the searching using a first display form[3] (Fig. 8, and Col. 1, lines 15-44; Col. 6, lines 1-68; Col. 7, lines 1-12 and Col. 14, lines 13-22);

enabling the user to select a displayed item from the search result as a second search condition and to select a second display form[4] (refining the query, Col. 1, lines

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[3] In Whitman, querying inputs for ISBN, Publisher/Date, Quick Search, Author/Subject Search, showing the search results or documents in different location such as upper portion of the web page, lower portion of the web page, displaying the results in different time interval, and showing on other web pages are considered as a plurality of display forms.

[4] In Whitman, querying inputs for ISBN, Publisher/Date, Quick Search, Author/Subject Search, showing the search results or documents in different location such as upper portion of the web page, lower portion of the web page, displaying the results in different time interval, and showing on other web pages are considered as a plurality of display forms.

53-62 and Col. 3, lines 39-55, and Fig. 8, and Col. 7, line 59 to Col. 8, line 15, Col. 14,

lines 13-22);

    second searching the database and/or the search result using the second search

condition (refining the query, Col. 1, lines 53-62 and Col. 3, lines 39-55, and Fig. 8, and

Col. 7, line 59 to Col. 8, line 15, Col. 14, lines 13-22); and

    displaying a second search result of the second searching in the second display

form. (Col. 1, lines 53-62 and Col. 3, lines 39-55, Fig. 8, Col. 7, line 59 to Col. 8, line 15

and Col. 14, lines 13-22).

Claim Rejections – 35 U.S.C. 103

    The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

    Claims 13, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Whitman et al. (6,772,150).

    Regarding Claim 13, Whitman does not explicitly disclose that a document

included in said predetermined document group is a patent document, and said display

item is either of bibliographic information of said patent document and a used word in

said patent document. However, since books and patents are both text documents. If

one can search books on a machine then one can surely search patents which is

technically reasonable. There is no technical different between books and patents

because they are both in text and image file.   It would have been obvious to one of

ordinary skill in the art to upload patent documents to the database of the Whitman's

search engine to cover the usage in searching patent documents (e.g. bibliography) in

order to search the book author's (if the author is also inventor) possible invention.

Regarding Claim 15, although Whitman does not explicitly disclose an arbitrary

combination (any combination) of predefined display forms, however, rearranging the

location of the results and display the lists in any manner does not provide unexpected

and useful result.   It would have been obvious to one of ordinary skill in the art to

display the result in any desired manner or form in order to attract the user's attention

based on a desired group (e.g. if user likes the section of Full Results appears first, it

could be placed above the section of Related Searches.

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Merriam-Webster Online Dictionary, definition of "designation".

The Random House College Dictionary, definitions of "cluster" and "designate".

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Correspondence

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Examiner Wilson Lee whose telephone number is (571)

272-1824.

Papers related to the application may be submitted by facsimile transmission.

Any transmission not to be considered an official response must be clearly marked

"DRAFT".   The official fax number is (571) 273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

2/2/2009   /Wilson Lee/
                                                        Primary Examiner, Art Unit 2163